

SEP - 8 2005

MISC. NO. 3:05 MC 302-C

U. S. DISTRICT COURT
W. DIST. OF N. C.

ASSIGNMENT OF AUTHORITY TO MAGISTRATE JUDGES IN CRIMINAL FORFEITURE CASES AND PUBLICATION OF NOTICE IN CIVIL AND CRIMINAL FORFEITURE CASES

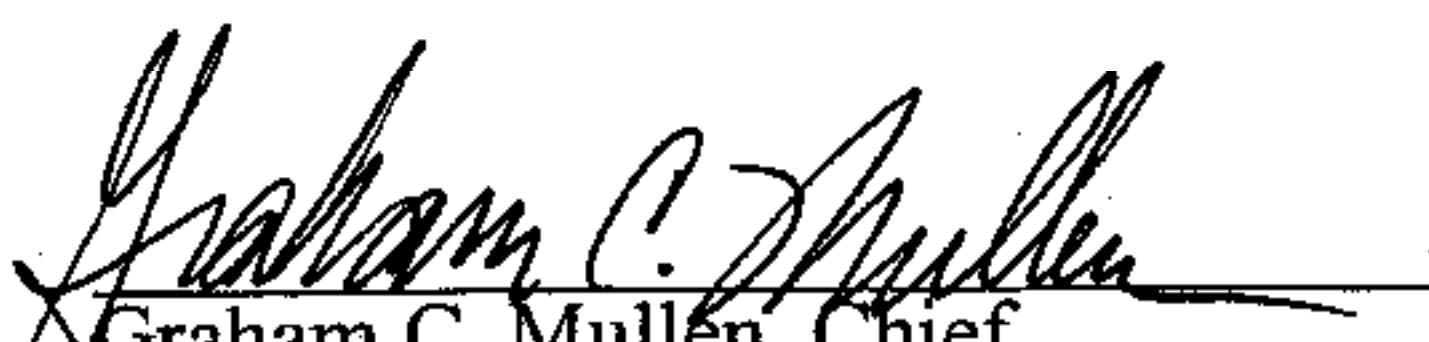
Pursuant to 28 U.S.C. §636(b), in any criminal case where a defendant pleads guilty and consents to forfeiture of property, a duly-appointed Magistrate Judge in this district is hereby authorized to enter one or more orders and judgments of forfeiture in connection with the hearing under Rule 11 of the Federal Rules of Criminal Procedure. Based on a stipulation of the parties or other proper showing, the Magistrate Judge is further authorized to make any related findings of fact contemplated by Rule 32.2, as it may be amended from time to time, provided that the defendant consents to those findings. If necessary, the notice required by Rule 32.2(a) may be waived by defendant's express written consent in the plea agreement or in the proposed order and judgment. The Magistrate Judge may sign the order and judgment in cases where the defendant pleads guilty without a plea agreement, provided that both the defendant and counsel give their express written consent to the forfeiture.

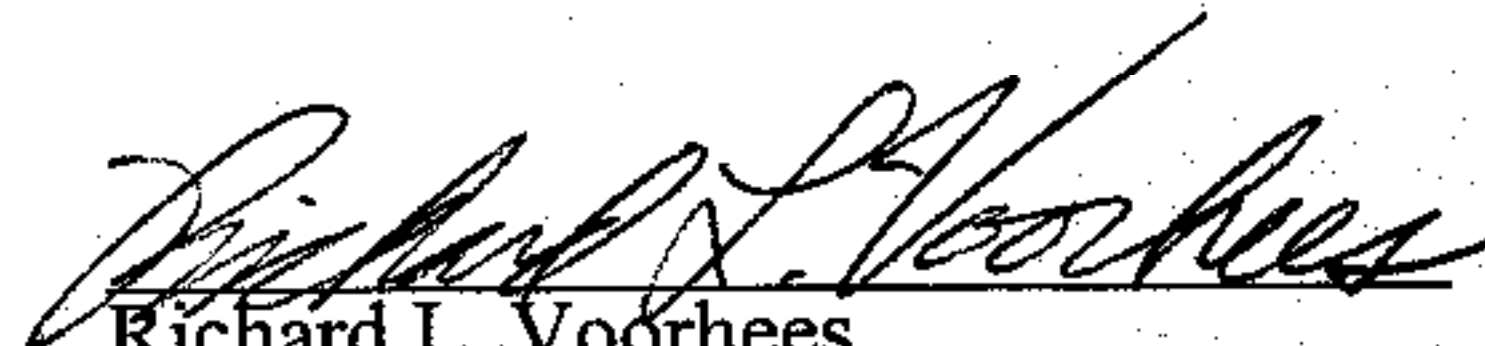
Unless otherwise required by statute or rule or by a specific order of this Court, in connection with a judicial forfeiture case in this district, whether civil or criminal, the United States may satisfy

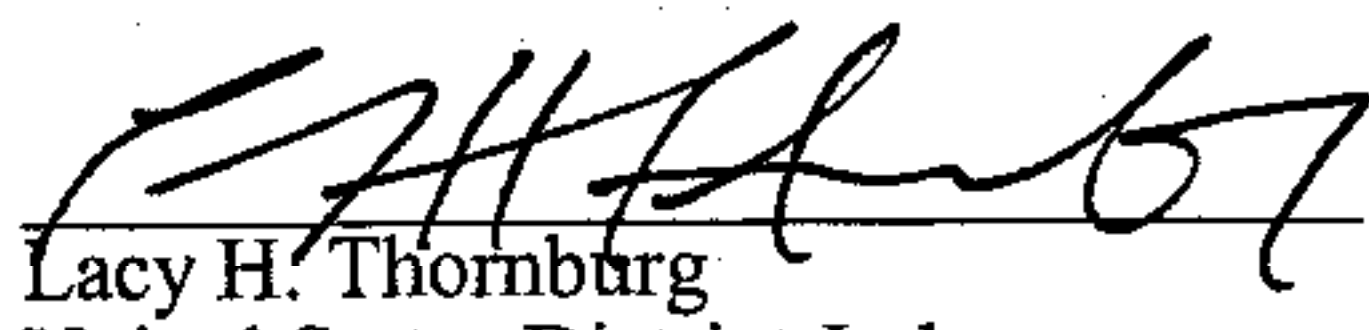
an applicable requirement of publication of notice, including 21 U.S.C. §853(n)(1) and Rule C(4) of the Supplemental Rules for Certain Admiralty and Maritime Claims, by publishing once in a newspaper of general circulation.

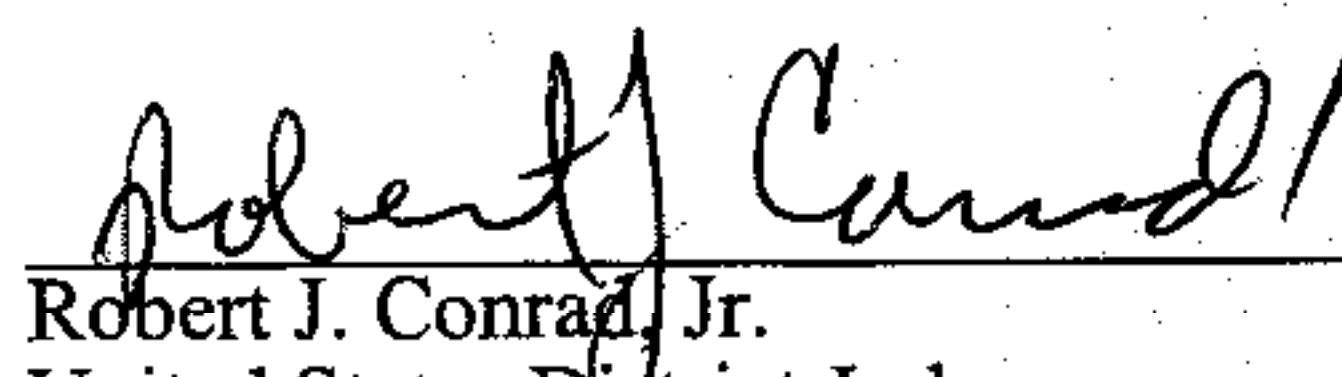
The Clerk is directed to serve copies of this Order to all District Court Judges, all Magistrate Judges, the United States Attorney, the Chief United States Probation Officer, and the United States Marshal.

IT IS SO ORDERED, this 8th day of September, 2005.


Graham C. Mullen, Chief
United States District Judge


Richard L. Voorhees
United States District Judge


Lacy H. Thornburg
United States District Judge


Robert J. Conrad, Jr.
United States District Judge